

Amendment and Response

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Serial No.: 09/696,635

Confirmation No.: 4398

Filed: 25 October 2000

For: FUIT, VEGETABLES AND SEED DISINFECTANTS

Amendments to the Claims

This listing of claims replaces all prior versions, and listings, of claims in the above-identified application:

1. – 32. Canceled.

33. (Currently Amended) The ~~formulation~~ kit of claim ~~[[31]]~~ 41, wherein the ~~enhancer~~ second container further comprises a chelating agent, an acid, or an alcohol.

34. (Currently Amended) The ~~formulation~~ kit of claim 33, wherein the chelating agent ~~comprises~~ is ethylenediaminetetraacetic acid or salts thereof.

35. (Currently Amended) The ~~formulation~~ kit of claim 33, wherein the acid is lactic acid, mandelic acid, succinic acid, tartaric acid, ascorbic acid, acetic acid, malic acid, or adipic acid.

36. (Currently Amended) The ~~formulation~~ kit of claim 33, wherein the alcohol ~~comprises~~ is ethanol or isopropanol.

37. (Currently Amended) The ~~formulation~~ kit of claim ~~[[31]]~~ 42, wherein the two or more anionic surfactants ~~comprise~~ are acyl lactylate salts, dioctyl sulfosuccinate salts, lauryl sulfate salts, dodecylbenzene sulfonate salts, salts of C8-C18 fatty acids, or any combination thereof.

38. (Canceled)

39. (Currently Amended) The ~~formulation~~ kit of claim ~~[[31]]~~ 41, wherein the vehicle ~~comprises~~ is water, propylene glycol, polyethylene glycol, glycerin, ethanol, isopropanol, or any combination thereof.

40. (Currently Amended) The ~~formulation~~ kit of claim ~~[[31]]~~ 41, wherein the ~~formulation~~ first container further comprises a flavorant.

41. (Currently Amended) A kit, said kit comprising a first container and a second container; said first container comprising ~~having~~ a fatty acid monoester ~~composition~~, ~~said fatty acid monoester composition comprising a fatty acid monoester~~ derived from a C₈ to C₁₂ fatty acid ~~[[s]]~~, a surfactant, and a vehicle; and ~~[[a]]~~ said second container ~~having~~ comprising an enhancer selected from the group consisting of benzoic acid, salicylic acid, a combination thereof; wherein upon combining the first and second containers, the monoester is present in amount of about 0.01 wt% to about 5.0 wt%, and the enhancer is present in an amount present in an amount of about ~~[[0.5]]~~ 0.001 wt% to about 30.0 wt%, ~~and the surfactant is present in an amount of about 0.5 wt% to 5.0 wt%~~

~~wherein the monoester and the enhancer provide a synergistic antimicrobial activity when compared to the same amount of component used separately under the same conditions.~~

42. (Currently Amended) The kit of claim ~~[[41]]~~ 52, wherein said ~~fatty acid monoester composition~~ first container comprises two or more anionic surfactants.

43. (Previously Presented) The kit of claim 41, wherein said fatty acid monoester is glycerol monolaurate, glycerol monocaprylate, glycerol monocaprate, propylene glycol monolaurate, propylene glycol monocaprylate, propylene glycol monocaprate, or combinations thereof.

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44. (Previously Presented) The kit of claim 41, wherein said kit further comprises a label or package insert indicating that contents of said first container and said second container are mixed to produce an antimicrobial formulation that is effective for reducing microbe levels on plants or plant parts.

45. (Previously Presented) The kit of claim 44, wherein said label or package insert further indicates that said antimicrobial formulation is diluted before applying to plants or plant parts.

46. – 51. (Canceled)

52. (New) The kit of claim 41, wherein said first container comprises a surfactant.

53. (New) The kit of claim 52, wherein the surfactant is present in an amount of about 0.5 wt% to 30.0 wt%.

54. (New) The kit of claim 53, wherein the surfactant is present in an amount of about 0.5 wt% to 5.0 wt%.